



PATENT
Attorney Docket No.: 46970-5086

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Manabu NOHARA et al.) Confirmation No.: 2565
Application No.: 09/658,877) Group Art Unit: 2664
Filed: September 8, 2000) Examiner: Kevin D. Mew
For: COMMUNICATING APPARATUS)
AND COMMUNICATING METHOD)

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop Issue Fee
Alexandria, VA 22314

Sir:

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

In response to the Statement of Reasons for Allowance in the Notice of Allowability dated December 29, 2005, Applicants submit the following comments.

The Statement of Reasons for Allowance indicates that “[t]he present application relates to providing a communication apparatus for performing asynchronous communication with a base station, including the unique functions of:

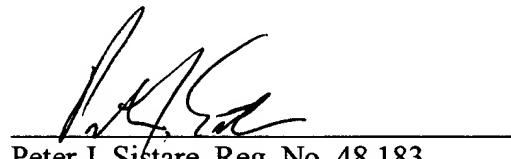
‘a receiving device for receiving a down link signal, which is transmitted from the base station and in which a division signal is inserted for each of constant time intervals; wherein each of said constant time intervals is divided into a plurality of predetermined time intervals; and wherein said detecting device calculates a correlation between a signal correlated with the division signal and the received down link signal for each of the predetermined time intervals, and compares the calculated correlation with a predetermined threshold value for each of the predetermined time intervals.’”

The Statement of Reasons for Allowance goes on to recite that "Higuchi fails to anticipate or render obvious the above quoted limitations of the present application. This renders the claims allowable."

Applicants believe that the Statement of Reasons for Allowance in this case is improper. While Applicants believe that all of the claims are allowable and patentably distinguish over the art of record, Applicants do not acquiesce that patentability resides only in each of the listed features, nor that each and every feature is required for patentability.

Respectfully submitted,

DRINKER, BIDDLE & REATH LLP



Peter J. Sistare, Reg. No. 48,183

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CUSTOMER NO. 055694

DRINKER, BIDDLE & REATH LLP

1500 K Street, N.W., Suite 1100
Washington, D.C. 20005-1209

Tel: (202) 842-8800
Fax: (202)-204-0289